

1637  
AF



PATENT  
ATTORNEY DOCKET NO. 056297-5009-A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Stephen FODOR *et al.* )  
Application No.: 09/776,768 )  
Filed: February 6, 2001 )  
For: IDENTIFYING A BASE IN A )  
NUCLEIC ACID )

Group Art Unit: 1637

Examiner: J. Siew

**RECEIVED**

OCT 31 2003

**BOX AF**

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place, Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**TECH CENTER 1600/2900**

Sir:

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment under 37 CFR § 1.116 responding to the Office Action dated July 29, 2003.
2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

3. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

4. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	21	minus	24	0	x \$18 each=	+ \$0
Independent Claims (37 C.F.R. §1.16(b))	1	minus	4	0	x \$86 each=	+ \$0
[ ] First presentation of Multiple dependent claim(s)					\$290.00	+ \$ 0
SUB-TOTAL =						\$0
Reduction by ½ for filing by a small entity						- \$0
TOTAL FEE =						\$ 0

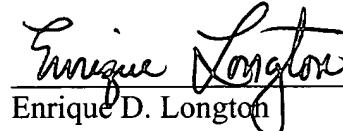
5. Fee Payment

The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:

  
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Enrique D. Longton  
Reg. No. 47,304

Dated: October 29, 2003

Customer No. 000033522

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Sir:

**AMENDMENT UNDER 37 C.F.R. § 1.116**

This amendment is filed in response to the Office Action mailed July 29, 2003, the period for response to which extends through October 29, 2003. Please amend the above-identified application as follows: